

IN THE SPECIFICATION

Please amend the paragraph on page 4, lines 1-14 of the specification as follows:

The dosage form of the present invention can provide therapeutic levels of the antihyperglycemic drug for twelve to twenty-four hour periods and does not exhibit a decrease in bioavailability if taken with food. In fact, a slight increase in the bioavailability of the antihyperglycemic drug is observed when the controlled release dosage form of the present invention is administered with food. In a preferred embodiment, the dosage form will be administered once a day, ideally with or after a meal and most preferably with or after the evening meal, and provide therapeutic levels of the drug throughout the day with peak plasma levels being obtained between 8-12 hours after administration.

IN THE CLAIMS

Please cancel claims 21-23 without prejudice.

Please amend claims 4, 5, 9 and 24 as follows:

4. (Amended) The sustained release pharmaceutical formulation of claim 1 wherein said formulation provides a time to peak plasma concentration (T_{max}) of the antihyperglycemic drug which occurs at a time from about 8 hours to about 12 hours after administration to said human patient.

5. (Amended) The sustained release pharmaceutical formulation of claim 1 wherein said antihyperglycemic drug is metformin or a pharmaceutically acceptable salt thereof.

9. (Amended) A sustained release pharmaceutical formulation comprising a dose of metformin or a pharmaceutically acceptable salt thereof suitable for once daily dosing, said formulation when